



SOUHEGAN TECHNICAL REVIEW COMMITTEE
Meeting Minutes

May 4, 2004

NH Department of Environmental Services

Rooms 111-112

1:30 PM – 3:30 PM



Members Present:

John R. Nelson
Carl Paulsen
Brian Mrazik
Douglas Bechtel
Vernon B. Lang
Ralph W. Abele
Representative Richard T. Cooney
Kenneth D. Kimball – Chair

Members Absent:

Alden Greenwood
William C. Ingham
Jim MacCartney
Thomas Roy – Vice Chair
Donald L. Ware
Senator Russell E. Prescott

Others Present:

Hugh Barrette
Nelson R. Disco, Merrimack, Souhegan River LAC
Jack Donohue, ENSR

DES Staff Present:

Wayne Ives, Instream Flow Coordinator
Steve Couture, Rivers Coordinator, DES
Marie LosKamp, Executive Secretary, Watershed Management Bureau

1:30 – 1:40 INTRODUCTION, ACCEPTANCE OF MARCH 22, 2004 MINUTES AND DISCUSSION OF RIGHT TO KNOW LAW AND THE TRC

Introductions were made and then a motion to accept minutes. Meeting minutes unanimously accepted.

1:40 – 1:45 TRC - Right To Know Law – Wayne Ives - These meetings are open to everyone. State statute spells out the Right to Know law in detail. If you receive a request, everything that is requested must be produced including meeting minutes or meeting notes (even if there is no quorum), e-mails, and notes on any impromptu meeting. Executive sessions can be excluded from right-to-know if discussing reasons for resigning, etc., as can casual discussions. These are not public information, but anything done purposefully by the committee or any subcommittee is public information. Everything that happens in this committee, the public has a right to know.

1:45 – 2:30 COMMENTS ON THE CONSULTANTS' EXECUTIVE SUMMARIES AND TRC SELECTION TEAM ON THE PROPOSALS AND INTERVIEWS

Ken - John and Ralph volunteered their time to participate in the selection process as well as the Water Use Management Plan – the wisest thing is to let John, Ralph and Wayne give us an update so that we as a committee can give our input to keep on schedule to hire consultant.

Wayne – RFQ was issued Dec. 8. The consulting groups are a consortium of various firms that grouped together to match capabilities to project – the Selection Committee short listed 5 firms, proposal was due on April 15, followed by the interview process with 6 members of the Selection Committee, 2 from TRC, 2 from WMPAAC and 2 from DES, one could not attend and we ended up with 5 members making assessments of the 5 firms who submitted proposals. Selection committee had a chance to interview the candidates.

Ralph – 5 teams of consultants interviewed. When putting proposals together they knew the weighting approach that was being used. Selection Committee used a score sheet using the scoring in the RFP. A ½ hour to make presentation and ½ hour to ask questions, each team was requested to bring in a 5 page summary. This was the process that we went through. We were impressed, the state was well served, and very qualified teams were put together.

John – Selection Committee convened to finalize our thoughts with respect to project approach. Two teams were not responsive to the scope of RFP methodology leaving 3 firms. Of those three, 2 stood out. Looking at those two teams, the experience of the personnel and the details of the approach, it was very clear to all of us that only one team stood out.

Ralph – Guidance for scope of work suggested 40/60 split (PISF to WMP). We talked about site-specific detailed studies, realize that site specific studies are more expensive, not sure of the level of detail we would get. Three firms said they would do site specific, 2 of these said multiple flows (look at 3 or 4 different flows using two different techniques) which gives us better information at different flows. This directed our decision making process.

Protected instream flow and a water management study are important to do simultaneously. Talk to people who live along the river as you go. The committee was looking for people who would integrate a lot of complex information. What caused one to stand out was their whole approach to all that information. There are a number of dam and water users along with scientists doing the work. The presentations helped a lot, watching and listening to how they would deal with these situations, it was beneficial to hear.

Vern Lang – Could you give some reaction to the executive summaries, which when read were hard to interpret, hard to judge?
Ralph noticed that when he read them, some leaned heavily toward one side, when in fact the detailed proposals leaned the opposite way.

Brian Mrazik – This committee's endorsement of our two representatives was a good idea as it is hard to make any judgment by ourselves with what was in the executive summaries, just enough information that the selection committee's opinion would be a good judgment.

Ken – Talked with Paul Currier, the 5 members on the committee were unanimous. Ralph gave run down on techniques, 2 of 5 stood out, working with limited amount of funds too. Ralph, please give us a quick summary. People have questions about how it was put forth.

Ralph – With respect to IPUOCR – protected entities, on-stream survey looking at aquatic life, dams, well withdrawals, protected stream flow study for short, we are all impressed with the group we recommended. All firms did a good job but this group did it best with what they have; and with GIS of both banks, this is an efficient way to gather information.

Committee asked for the name of the selected group.

Wayne – The teams were scored and ranked, and the team with the best score negotiates price and scope with the state. If it doesn't work out, contract goes to second ranked team. Normandeau, UNH, and UMA Team had the best approach and that is 50% of score. They also scored consistently higher in all the categories.

Steve – DES put into the RFP what the contractor would be scored on.

Vern – UNH proposal – habitat mapping, they would use the mesohabitat approach which has been developed and done, can we look at inputs and verify before hand? I am curious and are there any thoughts about asking UNH folks to be brought to this committee before it is used. Like to talk to them about doing target fish analysis.

Ken – Vern's question should be brought up when contracts are being drawn up, it is a timing process. If you want to participate, you are on target and you could express to DES that this committee would like to get an opportunity to look at general comments.

Wayne – When the IPUOCRs are identified, the process for flow assessments is presented to TRC--that approval of methodologies is the TRC's responsibility. In the guidance document the TRC reviews the assessment methods that the contractor submits telling us what they propose to do.

Ken – We have that opportunity as a committee. We have to recognize that this is a pilot process; and if it is too loosely goosey, it will not hold up. We will have to respond in a timely, quick, review period, and with due diligence.

Ralph - In the proposal it says the consultant does his report identification and the process is due before the first payment. Make this a little more explicit. Ken have it sent out electronically to the group. Discussions may not be ideal; and this way people get a chance to look at it and have a 2 week turnaround. We have one or two flows in this year and more next.

Ken – Getting field data is a little different than picking coefficients that are being used.

Ken - Any other discussion on the contractor? Motion made by Vern and seconded by Carl Paulsen, that we accept motion of the nomination committee, John and Ralph, that the University of New Hampshire be selected as the contractor. All in favor say aye, opposed nay. **Committee unanimously agreed with John and Ralph's selection.**

2:30 – 3:15 REVIEW OF IPUOCR PRELIMINARY LIST AND ADDITIONS FROM WMPAAC – Wayne Ives

Committee needs a clear idea of IPUOCR categories and what they are:

IPU – instream protected uses, OC - outstanding character, R- resources.

Research documents to identify IPUOCRs. Review of the list from statute – a lot of redundancy so categories grouped. See your binder for this list. Defined using definitions in nomination papers, includes what the nomination papers said they were looking for in designating the river, took other definitions from statute or other resources. Sources came from the rivers nominations paper from designating the river, state-wide recreational inventory, Natural Heritage Bureau. WMPAAC is identifying more IPUOCRs.

Not a lot of navigational issues since it like the Mississippi River. There are four archeological sites. Recreational issues swimming boating, shoreline hiking, canoeing bird watching.

- **Ken – You are applying native criteria to vegetations. Will you apply the same criteria to fisheries? Fish [like bass] were introduced that are competitive with natural ones. This is a political issue and the public needs to stay involved.**

Exotic species which were imported 50 years ago. Try to evaluate the ecology as a community. Timber issues mentioned - lets not restrict ourselves at this time, we can take out after the fact, need to avoid not having things that are needed. If there is not a forest unless there is a flow required to maintain the forest, then that would stay in, but if river flow doesn't affect the forest than it would be left out. Geological resources, geology has a bearing on how flow in river responds, but is not flow dependent. Wells causing stream impacts. Hydrological resources – natural flows characteristics of the river community. Dams and water storage--free running and FEMA natural flood plain, flows that cover flood plain, in certain fisheries flooding are a protected entity, and as far as storage on a flood plane may not fit here. Implications that stream flow would have on water quality and protected entities;

Flows that are reflective of natural hydrograph - high, low and medium, maintain natural hydrograph. What we are doing has to fit in, we aren't going back to before human influence, we have to find a place where they match up, we are going to try to balance . What is going to be included and what isn't, some might show up in vegetation, needs flows periodically to sustain; and

Hydroelectric energy production – two stretches of the river are classified as community rivers where new dams could be developed. Dams also have storage behind them. Pubic water supplies are not always affected water users, but public water supplies are protected entitles. Make sure that natural water conditions are maintained and that there is continued movement of water.

We will be hiring the contractor in the next month to month and a half. Final list of IPUOCRs comes back to both committees,

- **Rep. Cooney – Copies of IPUOCR list - are they the same and does one supercede one another. Wayne will look into this.**

3:15 – 3:30 OTHER BUSINESS:

DES needs to work out details with contractor and Wayne will contact Ken to setup a date for a meeting. The process, the official unveiling now that this is final, we will go immediately into developing contract.

Review process of the assessments.

TRC would like to see models, IPUOCR list is different. The First Task is to develop that IPUOCR list and go to committees to look at that list.

Ralph has a copy of the proposal and it is available for people to look at it, but not enough to send out. Target fish studies, you aren't going to use all fish and must decide what life stages.

Selection of methods meeting and IPUOCR meeting combined with WMPAAC in Milford, draft of what assessment methodologies would apply set up to work, assessment method and details all in one meeting. We can help them stay on time. There is no specific date until we know when they can start working on it. As you work out contract

Next Meeting – Date and time – suggest meeting in Milford jointly with WMPAAC to review consultant's IPUOCR list

Motion to adjourn, John made a motion to adjourn, Ralph seconded, all in favor, meeting adjourned.

3:45 Meeting adjourned